



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

**COMMITTEE ON PUBLIC HEALTH,
SAFETY AND WELFARE**

Voting Members:

Brandon J. C. Elefante, Chair
Kymberly Marcos Pine, Vice Chair
Ikaika Anderson
Ernest Y. Martin
Trevor Ozawa

MINUTES

REGULAR MEETING
TUESDAY, AUGUST 22, 2017

COUNCIL COMMITTEE MEETING ROOM
2ND FLOOR, HONOLULU HALE
HONOLULU, HAWAII 96813

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

The regular meeting of the Committee on Public Health, Safety and Welfare was called to order by Committee Chair Brandon Elefante at 9:05 a.m. Voting Members Anderson, Martin, Ozawa, and Pine were present at the meeting. Nonvoting Members, Council Chair Menor and Councilmember Manahan, also attended the meeting.

STAFF PRESENT

Mary Schmidtke, Senior Advisor to Committee Chair Elefante
Lloyd Yoshioka, Attorney, Office of Council Services
Kamakana Watanabe, Analyst, Office of Council Services
Leslie Chinn, Deputy, Department of the Corporation Counsel, assigned to the Committee
Gail Uehara, Council Committee Aide, Office of the City Clerk

ORDER OF BUSINESS

APPROVAL OF MINUTES

The minutes of the Committee on Public Health, Safety and Welfare meeting held on July 25, 2017 were approved as circulated.

AYES: ANDERSON, MARTIN, PINE, ELEFANTE - 4.
NOES: None.
EXCUSED: OZAWA - 1.

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Committee Chair Elefante took Items No. 1, Resolution 17-202 and No. 2, Resolution 17-209, relating to the Honolulu Police Department's acceptance of gifts, together.

FOR ACTION

1. RESOLUTION 17-202 – COMMITTEE REPORT 309

ACCEPTANCE OF GIFT (HPD). Relating to the acceptance of a gift to the City from the Waikiki Business Improvement District Association (WBIDA) for the Honolulu Police Department to address various illegal activities on the public sidewalks in specific areas in Waikiki valued at \$85,000.

2. RESOLUTION 17-209– COMMITTEE REPORT 312

ACCEPTANCE OF GIFT (HPD). Relating to the acceptance of a gift to the City from Kick Start Karate for six members of the Honolulu Police Department to attend the 15th Annual Taste of Kick Start fund-raiser on September 3, 2017 valued at \$1,200.

Administration/Others

John D. McCarthy, Captain, District 6, Honolulu Police Department (HPD)
Andrew Lum, Major, HPD

Captain McCarthy testified in support of Resolution 17-202.

Major Lum testified in support of Resolution 17-209.

The following individuals testified:

1. Dave Moskowitz (comments on Resolution 17-202)
2. Michael Daily (oppose Resolution 17-202)

Resolution 17-202 reported out for adoption.

AYES: ANDERSON, MARTIN, PINE, ELEFANTE - 4.
NOES: None.
EXCUSED: OZAWA - 1.

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Resolution 17-209 reported out for adoption.

AYES: ANDERSON, MARTIN, PINE, ELEFANTE - 4.
NOES: None.
EXCUSED: OZAWA - 1.

Related communications:

D-549 Honolulu Police Department, transmitting draft resolution.
D-582 Honolulu Police Department, transmitting draft resolution.

Committee Chair Elefante took Items No. 3, Resolution 17-203 and No. 4, Resolution 17-204, relating to the Honolulu Fire Department's acceptance of gifts, together.

3. RESOLUTION 17-203– COMMITTEE REPORT 310

ACCEPTANCE OF GIFT (HFD). Relating to the acceptance of a gift to the City from the Mine Safety Appliances Company to provide rescue equipment to Honolulu Fire Department personnel for confined space responses valued at \$11,630.80.

4. RESOLUTION 17-204 – COMMITTEE REPORT 311

ACCEPTANCE OF GIFT (HFD). Relating to the acceptance of a gift to the City from the Honolulu Firefighters Foundation of 56 tickets for its 8th Annual Signature Chefs Food Festival on September 15, 2017 valued at \$5,600.

Administration/Others

Howard Naone, Battalion Chief, Honolulu Fire Department

Chief Naone testified in support of Resolutions 17-203 and 17-204.

The following individual testified:

Arvid Youngquist (comments on Resolutions 17-203 and 17-204)

Resolution 17-203 reported out for adoption.

AYES: ANDERSON, MARTIN, PINE, ELEFANTE - 4.
NOES: None.
EXCUSED: OZAWA - 1.
Resolution 17-204 reported out for adoption.

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AYES: ANDERSON, MARTIN, PINE, ELEFANTE - 4.
NOES: None.
EXCUSED: OZAWA - 1.

Related communications:

D-553 Honolulu Fire Department, transmitting draft resolution.
D-555 Honolulu Fire Department, transmitting draft resolution.

5. RESOLUTION 17-218 – COMMITTEE REPORT 313

Authorizing the Chief of Police of the Honolulu Police Department to apply for and to enter into an agreement with the Bureau of Justice Assistance, U.S. Department of Justice, for funds from the Edward Byrne Memorial Justice Assistance Grant Program FY2017 local solicitation.

The following amendment was posted on the agenda:

PROPOSED CD1 TO RESOLUTION 17-218 (Submitted by Councilmember Elefante) – The CD1 (OCS2017-0843/8/15/2017 9:49 AM) makes the following amendments:

- A. Amends references to Section 1-8.2(b) Revised Ordinances of Honolulu 1990, to Section 1-8.2(a), in the first WHEREAS clause and the second BE IT FURTHER RESOLVED clause.
- B. Makes miscellaneous technical and nonsubstantive amendments.

Administration/Others

Roland Turner, Acting Major, Finance Division, Honolulu Police Department (HPD)
Lynn Miller, Supervisor, Grants Section, HPD

Acting Major Turner testified in support of the Resolution. He stated that the Federal funds would be used to complement, but and not supplant, the funds regularly appropriated for law enforcement purposes.

Supervisor Miller stated that although the grant agreement covers a four-year period, the monies are usually expended in two years.

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The following individual testified:

Arvid Youngquist (support)

Resolution 17-218 amended to a CD1 (OCS2017-0843/8/15/2017 9:49 AM) and reported out for adoption.

AYES: ANDERSON, MARTIN, PINE, ELEFANTE - 4.

NOES: None.

EXCUSED: OZAWA - 1.

Related communication:

D-601 Honolulu Police Department, transmitting draft resolution.

6. BILL 70 (2017) – COMMITTEE REPORT 308

RELATING TO SMOKING. Expanding and clarifying the current ordinances relating to smoking, including but not limited to regulating electronic smoking devices and smoking in motor vehicles.

Administration/Others

Thomas Taflinger, Captain, Honolulu Police Department (HPD)

Council Chair Menor voiced his support for the Resolution and stated that the measure seeks to protect children from the harmful effects of secondhand smoke in vehicles.

Captain Taflinger testified that he has no position on the Bill. In response to questions, the Captain provided the following:

- Other counties, such as Hawaii, did not see any problems with enforcing a similar prohibition on smoking.
- Youths under eighteen years of age usually have no identification card; therefore, HPD officers use other means to determine age.

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The following individuals testified:

1. Sam Kakazu (support)
2. Jaylen Murakami, Advocacy and Outreach Coordinator, Hawaii Public Health Institute (support)
3. Lila Johnson, Public Health Educator, Tobacco Prevention and Control Section, Primary Prevention Branch, Hawaii State Department of Health (support)

Ms. Johnson concurred with Council Chair Menor that toxin levels from second-hand smoke in vehicles could exceed some of the worst air quality days in a large city, even with the car windows down.

4. Emma Sunga (support)
5. Arvid Youngquist (comments)

Committee Chair Elefante recommended that the Bill be reported out for second reading and scheduling of a public hearing.

Council Chair Menor re-iterated his support for the Bill and noted that the measure is consistent with other smoking prohibition legislation previously passed by the City Council. He stated that the measure would keep Honolulu at the forefront with other municipalities regarding public health issues. The Council Chair also shared his disagreement on the comments that the Bill is an overreach and could potentially intrude on a parent's right to protect the health of their own children.

Committee Member Martin explained the reason for changing his initial opposition to the Bill and stated his support of the measure.

Committee Member Anderson voiced his support of the Committee Chair's recommendation and concurrence with Council Chair Menor and Committee Member Martin.

Committee Chair Elefante thanked everyone for their support on the measure and noted the importance of protecting the keiki.

Bill 70 (2017) reported out for second reading and scheduling of a public hearing.

AYES: ANDERSON, MARTIN, PINE, ELEFANTE - 4.
NOES: None.
EXCUSED: OZAWA - 1.

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Related communications:

M-4023	Angela Mercado (support)
M-4024	Bryan Mih (support)
M-4025	Cyd L. Hoffeld (support)
M-4026	Derek Bown (support)
M-4027	Elizabeth Tam (support)
M-4028	Kathleen Corpuz (support)
M-4029	Kim Swartz (oppose)
M-4030	Jessa Mae Visaya (support)
M-4031	John S. Ishoda (support)
M-4032	Joseph Keaweaimoku Kaholokula (support)
M-4033	Manuel Navalta (support)
M-4034	Maria Moreno-Chow (support)
M-4035	Natalie Iwasa (oppose)
M-4036	Sharon Hicks (support)
M-4037	Steve Miller (oppose)
M-4038	Virginia Pressler, Director, State of Hawaii Department of Health (support)
M-4039	Don Weisman, Hawaii Government Relations/Communications Director, American Heart Association (support)
M-4040	Valerie Chang, Executive Director, Hawaii COPD Coalition (support)
M-4041	Michael Robinson, Vice President, Government Relations and Community Affairs, Hawaii Pacific Health (support)
M-4042	Jaylen Murakami, Advocacy and Outreach Coordinator, Hawaii Public Health Institute (support)
M-4043	Sally Ancheta, Hawaii Public Health Institute/Coalition for Tobacco-Free Hawaii - East Hawaii Community Coalition Coordinator
M-4044	Cory Smith, CEO and Owner, Volcano Fine Electronic Cigarettes (oppose)

7. RESOLUTION 17-220 – COMMITTEE REPORT 314

CHIEF OF POLICE. Urging the Honolulu Police Commission to select a Chief of Police by November 30, 2017.

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The following amendment was posted on the agenda:

PROPOSED CD1 TO RESOLUTION 17-220 (Submitted by Councilmember Elefante) – The CD1 (OCS2017-0851/8/16/2017 10:42 AM) makes the following amendments:

A. Amends the 8th WHEREAS clause to read as follows:

WHEREAS, the Police Commission has requested applications for the Chief of Police position, received a number of applications by the April 3rd application deadline, and has narrowed the number of candidates to 34 qualified individuals; and

B. Amends the 9th WHEREAS clause to read as follows:

WHEREAS, the Police Commission faced procurement delays in finding a consultant who would create tests for the 34 candidates, score the tests, and recommend the top candidates to the Commission; and

C. Deletes the 10th WHEREAS clause.

D. Deletes the 14th WHEREAS clause.

E. Makes miscellaneous technical and nonsubstantive amendments.

Administration/Others

Dan Lawrence, Executive Officer, Honolulu Police Commission
(Commission)

Executive Officer Lawrence stated that Chair Sword of the Honolulu Police Commission was unable to attend the meeting and noted that the Chair submitted written testimony (Communication D-612).

The following individual testified:

Arvid Youngquist (supports CD1)

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In response to questions, the Executive Officer provided the following information:

- The consultant contract start date was July 2017 with an October 2017 end date at a cost of \$75,000. The scope of work is to create a written exam and develop an assessment center to assist the Commission with its selection process.
- He would get back to the Committee regarding the number of police commissioners who are serving their second term on the Commission.
- Some of the 34 qualified police chief candidates are from the HPD.
- The Commission's intention is to have a new police chief selected by the end of October and will allow public testimony during their selection process.

Discussion ensued regarding disappointment for the delays on selecting a new police chief and choosing a new chief from one of the qualified leaders currently serving in the HPD.

Committee Chair Elefante recommended further amending the Resolution to include the suggestions discussed.

Resolution 17-220 amended to a CD1 and reported out for adoption.

AYES: ANDERSON, MARTIN, OZAWA, PINE, ELEFANTE – 5.

NOES: None.

CD1 TO RESOLUTION 17-220 – (Submitted by Councilmember Elefante) – The CD1 (OCS2017-0886/8/22/2017 1:18 PM) makes the following amendments:

- A. Amends the Title and BE IT RESOLVED clause to change the deadline for the selection of a new Chief of Police from November 30, 2017 to October 31, 2017.
- B. Amends the 8th WHEREAS clause to read as follows:

WHEREAS, the Police Commission has requested applications for the Chief of Police position, received a number of applications by the April 3rd application deadline, and has narrowed the number of candidates to 34 qualified individuals; and

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- C. Amends the 9th WHEREAS clause to read as follows:

WHEREAS, the Police Commission faced procurement delays in finding a consultant who would create tests for the 34 candidates, score the tests, and recommend the top candidates to the Commission; and

- D. Deletes the 13th WHEREAS clause.

- E. Deletes the final WHEREAS clause.

- F. Makes miscellaneous technical and nonsubstantive amendments.

Related communication:

D-612 Max J. Sword, Chair, Honolulu Police Commission (comments)

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:10 a.m.

Respectfully submitted,



GLEN I. TAKAHASHI
City Clerk

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DATE APPROVED

September 26, 2017